



# **LAWS OF ALASKA**

**2003**

**Source**

HCS SB 115(FIN)

**Chapter No.**

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**AN ACT**

Relating to the correctional industries program; and providing for an effective date.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1



**AN ACT**

1 Relating to the correctional industries program; and providing for an effective date.

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3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5       SHORT TITLE. This Act may be known as the Correctional Industries Program Act  
6 of 2003.

7 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
8 read:

9       LEGISLATIVE INTENT. It is the intent of the legislature by this Act to allow the  
10 commissioner of corrections to permit the Correctional Industries Commission to expand the  
11 existing correctional industries program and provide that the fund created in this Act be used  
12 to pay for salaries and contracts for Correctional Industries Commission employees; if, in the  
13 future, the fund is not sufficient to pay those salaries and contracts, the legislature will make

1 every attempt to fund those salaries and contracts from other fund sources.

2 \* **Sec. 3.** AS 33.32.015(b) is amended to read:

3 (b) The commissioner of corrections may

4 (1) subject to AS 36.30 (State Procurement Code), use, purchase,  
5 lease, equip, and maintain buildings, machinery, and other equipment, and may  
6 purchase materials and enter into contracts that may be necessary for the correctional  
7 industries program;

8 (2) provide for prisoners to be employed in rendering services and  
9 producing articles, materials, and supplies needed by a state agency, a political  
10 subdivision of the state, an agency of the federal government, other states or their  
11 political subdivisions, or for use by nonprofit organizations **or other companies as**  
12 **approved by the Correctional Industries Commission;**

13 (3) if the Correctional Industries Commission established in  
14 AS 33.32.070 approves, employ prisoners to provide services or products as needed by  
15 private industry if the services or products have potential for contributing to the  
16 economy of the state and will **be of benefit to** [HAVE MINIMAL NEGATIVE  
17 IMPACT ON] an existing private industry or labor force in the state;

18 (4) authorize a prisoner to engage in vocational training or in  
19 productive employment within or outside a correctional facility, or enter into a  
20 contract under AS 33.30.191 for the employment of a prisoner if the Correctional  
21 Industries Commission determines that the employment will **be of benefit to** [HAVE  
22 MINIMAL NEGATIVE IMPACT ON] an existing private industry or labor force in  
23 the state; and

24 (5) subject to the provisions of AS 36.30 (State Procurement Code),  
25 enter into joint cooperative ventures with private industry for the establishment and  
26 operation of "Free Venture" industries under AS 33.32.017 if the Correctional  
27 Industries Commission determines at the time of inception that the "Free Venture"  
28 industry will not compete with an existing private industry or labor force in the state.

29 \* **Sec. 4.** AS 33.32.020(a) is amended to read:

30 (a) There is established in the Department of Corrections an intragovernmental  
31 service fund known as the correctional industries fund. All expenses of the

1 correctional industries program [, EXCEPT SALARIES AND BENEFITS OF STATE  
2 EMPLOYEES,] may be financed from the correctional industries fund in accordance  
3 with AS 37.07 (the Executive Budget Act). The commissioner of corrections shall  
4 prepare a report annually on all activities and balances of the fund and notify the  
5 legislature that the report is available.

6 \* **Sec. 5.** AS 33.32.030(b) is amended to read:

7 (b) The commissioner of corrections may sell a product or service of a  
8 correctional industries program to a private industry, subject to the approval of the  
9 Correctional Industries Commission established in AS 33.32.070. Before giving its  
10 approval, the Correctional Industries Commission must determine that the product or  
11 service has potential for contributing to the economy of the state and will **be of benefit**  
12 **to** [HAVE MINIMAL NEGATIVE IMPACT ON] an existing private industry or  
13 labor force in the state.

14 \* **Sec. 6.** AS 33.32.080(c) is amended to read:

15 (c) The Correctional Industries Commission shall recommend to the  
16 commissioner of corrections the advisability of establishing, expanding, diminishing,  
17 or discontinuing industrial, agricultural, or service activities to enable the program to  
18 operate as nearly as possible in a self-supporting manner, to provide as much  
19 employment for prisoners as is feasible, to provide diversified work activities **that will**  
20 **be of benefit to** [WITH MINIMAL NEGATIVE IMPACT ON] an existing private  
21 industry or labor force in the state, and contribute to the economy of the state. In  
22 making recommendations, the Correctional Industries Commission shall consider  
23 testimony received at public hearings.

24 \* **Sec. 7.** This Act takes effect July 1, 2003.